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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,528	03/23/2004	Takayuki Yamagishi	ASMJP.146AUS	3438

20995 7590 09/08/2008

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EXAMINER	
DHINGRA, RAKESH KUMAR	

ART UNIT	PAPER NUMBER
1792	

NOTIFICATION DATE	DELIVERY MODE
09/08/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/807,528	YAMAGISHI ET AL.	
	Examiner	Art Unit	
	RAKESH K. DHINGRA	1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 June 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17 and 28-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17 and 28-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 December 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/26/08 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1-17, 28-30 have been considered but are moot in view of the new ground(s) of rejection as explained hereunder.

Applicant has amended claims 1, 3, 15, 16, by adding new limitations, e.g. in claim 1 new limitation "simultaneously" has been added. In addition applicant has added new claims 31, 32 and cancelled the withdrawn claims 18-27.

Claims 1-17 and 28-32 are presently pending and active.

New reference (US 6,456,010 – Yamakoshi et al) when combined with Murata et al and Ito et al reads on amended claim 1 limitations. Accordingly claims 1-6, 9, 14-17, 28, 29 have been rejected under 35 USC 103 (a) as explained below. Balance claims 7, 8, 10-13, 30-32 have also been rejected under 35 USC 103 (a) as explained below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-6, 9, 14-17, 28, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakoshi et al (US 6,456,010) in view of Murata et al (US 6,363,881) and Ito et al (US 5,935,374).

Regarding Claims 1-5: Yamakoshi et al teach a plasma apparatus comprising:

a reactor chamber;

an impedance matching circuit 7a;

a pair of parallel-plate electrodes 323a, 323b disposed inside the chamber, between which a substrate G to be processed is disposed;

a radio-frequency power supply system used for transmitting radio-frequency power to the top electrode 323a via multiple supply points 9a provided on the top electrode 323a,

said radio-frequency power supply system comprises:

a radio-frequency power source 5a; and

a radio-frequency transmission unit for transmitting radio-frequency power from the radio-frequency power source simultaneously to the multiple supply points 9a on the top electrode 323a;

said radio-frequency transmission unit comprising:

an inlet transmission path 8a and multiple branches branched off from the inlet transmission path 8a (through T-shaped branched conductor 27a), wherein each branch connected to the supply point 9a of the parallel-electrode is multiple branchings downstream of the inlet transmission path 8a (e.g. Fig. 34 and col. 30, line 60 to col. 31, line 38).

Yamakoshi et al do not explicitly teach that each branch has a substantially equal characteristic impedance value; and at least one inductance adjuster which is removably installed in at least one branch to render substantially equal the characteristic impedance value of each branch connected to the multiple supply points.

Murata et al teach a plasma treatment apparatus comprising:

a reactor chamber 31 with a electrode 32 having multiple supply points 44-51 that are multiple branchings (2x4 = 8) downstream of the inlet transmission path (from the high frequency power source 36 up to power distributor 60) for the purpose of providing power at

multiple supply points. Murata et al also teach impedance converters (inductance adjusters) 61a-61h in each of the branches (including coaxial cables 43a – 43h) to achieve impedance matching among power distributor 60, coaxial cables 43a-h, and the electrode 32 and thus obtain improved film thickness distribution. Murata et al additionally teach (Figure 2) that each branch 43a-h connected to the multiple supply points 44-51 is two branchings downstream (Figure 3) of the inlet transmission path, and four branches (43a-d and 43e-h) are connected to the multiple supply points 44-51 (e.g. Figs. 1, 2, 4 and col. 7, line 54 to col. 8, line 40).

Therefore it would have been obvious to one of ordinary skills in the art at the time of the invention to provide inductance adjusters in each branch electrode as taught by Murata et al in the apparatus of Yamakoshi et al to obtain impedance matching among power distributor, connecting cables and the upper electrode and thus obtain improved film thickness distribution.

Yamakoshi et al in view of Murata et al do not explicitly teach each branch has a substantially equal characteristic impedance value, and the one inductance adjuster is removably installed in at least one branch to render substantially equal the characteristic impedance value of each branch connected to the multiple supply points.

Ito et al teach a plasma CVD apparatus 300 (Figure 7) comprising:

A reaction chamber 5, in which a high frequency power from power source 3 is applied to electrode 2 and whereby a plasma is generated between the electrode 2 and an opposite electrode 4 that supports a substrate 6 to be processed. Ito et al further teach an impedance adjusting device (for the purpose of adjusting the impedance of the gas introduction pipe 1 with respect to plasma chamber impedance) comprising a coil set 12 which includes a plurality of coils (three, as show in Fig. 7) connected in parallel and each coil having a switch 13 (inductance

adjuster). Ito et al also teach that by turning the switch on/off of three coils of the coil set 12 (that is, removable inductance adjuster), inductance and therefore impedance of the gas introduction pipe can be adjusted relative to plasma load impedance (column 9, lines 29-62). It would be obvious to install at least one inductance adjuster removably installed in at least one branch as per teaching of Ito to obtain equal characteristic impedance in each branch connected to multiple supply points as a result of adjusting the inductance of the line (branch). In view of above and the teaching of Murata et al that impedance converters 61a-61h are provided in each branch, characteristic impedance of each line can be adjusted. Claim limitation regarding equal characteristic impedance in each branch is a process limitation and since the apparatus provides impedance converters in each branch that enable adjustment of impedanc, the apparatus is considered capable of meeting the claim limitation.

Therefore it would have been obvious to one of ordinary skills in the art at the time of the invention to use at least one inductance adjuster which is removably installed in a branch of the power supply path as taught by Ito et al in the apparatus of Yamakoshi et al in view of Murata et al to enable adjust characteristic impedance of each branch with respect to plasma chamber impedance (including equalizing the characteristic impedance, as per process limitations).

Regarding Claim 6: Murata et al teach that impedance converter (inductance adjuster) 61a-h comprises of ferrite core (Figure 7 and column 8, lines 30-40).

Regarding Claim 9: Murata et al teach that power distributor 60 has a frequency of 30 MHz to 200 MHz (about 27.12 MHz or higher) {col. 5, lines 55-60}.

Regarding Claims 14, 17: Murata et al teach cable 59 (Figure 2) connected between impedance matching network 35 and power distributor 60 but do not explicitly disclose it to be

coaxial cable. But since Murata et al teach all other cables 41a-h, 43a-h to be coaxial cables, cable 59 would also be a coaxial cable due to high frequency power applications (col. 7, lines 55-68).

Regarding Claim 15: Yamakoshi et al in view of Murata et al and Ito et al teach all limitations of the claim (as already explained above under claim 1) and including that the inlet transmission path 8a branches into two secondary branches, which in turn further branch into two tertiary branches (Yamakoshi et al – Fig. 34).

Regarding Claim 16: Yamakoshi et al in view of Murata et al and Ito et al teach all limitations of the claim (as already explained above under claim 1) and including that branches are symmetrically disposed with respect to a center of the upper electrode (Murata et al - Figs. 1, 2, 4 and col. 7, line 54 to col. 8, line 40).

Regarding Claims 28, 29: Murata et al teach that supply terminal 44-51 are disposed in the vicinity of outer periphery of electrode 32 at regular intervals (Fig. 2).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakoshi et al (US 6,45,6010) in view of Murata et al (US 6,363,881) and Ito et al (US 5,935,374) as applied to claims 1-6, 9, 14-17, 28, 29 and further in view of Blonigan et al (US 2002/0046989).

Regarding Claim 7: Yamakoshi et al in view of Murata et al and Ito et al teach all limitations of the claim including that impedance converters (inductors) 61a-h enable to achieve impedance matching between power distributor 60, coaxial cables 43a-h and electrode 32

(substantially equal impedance {includes inductive reactance} values in branches) [Murata et al, Fig. 2 and col. 8, lines 25-40].

Yamakoshi et al in view of Murata et al and Ito et al do not teach radio frequency power transmission unit comprises a metal plate.

Blonigan et al teach a plasma apparatus (Figs. 1-3) that comprises a power supply system 50 which includes a matching network 400 having an inductor 240 and capacitors 203-217 connected via conductive straps 402a-402h to multiple points on showerhead (electrode) 122, through a backing (metal) plate 126 for the purpose of providing electrical connection between the outputs from the matching network and the upper electrode 122 (Paragraphs 0022, 0025-0026).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a metal plate in the radio frequency power transmission unit as taught by Blonigan et al in the apparatus of Yamakoshi et al in view of Murata et al and Ito et al to provide electrical connection between the output from matching network and the upper electrode

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakoshi et al (US 6,45,6010) in view of Murata et al (US 6,363,881) and Ito et al (US 5,935,374) as applied to claims 1-6, 9, 14-17, 28, 29 and further in view of MacGaffigan (US 5,182,427).

Regarding Claims 8: Yamakoshi et al in view of Murata et al and Ito et al teach all limitations of the claim (as explained above under claim 1) including the transmission unit comprising a metal plate 126 and that impedance converters (inductors) 61a-h comprise ferrite core of circular ring shape (Murata et al, Figure 7) that enable to achieve impedance matching

between power distributor 60, coaxial cables 43a-h and electrode 32 (substantially equal impedance values in branches).

Yamakoshi et al in view of Murata et al and Ito et al do not teach each inductor comprising a hollow copper tube and the ferrite core can be inserted/attached into the hollow copper tube to adjust an impedance value of the transmission system by selecting the number of ferrite cores to be inserted/attached.

MacGaffigan teach an apparatus (Figures 1-5) comprising a ferrite copper tube 22 in which ferrite beads 16 (ferrite cores) can be inserted and the number of beads16 (cores) can be controlled for the purpose of controlling the impedance of the apparatus (impedance adjuster). Further, it would be obvious to use the arrangement of copper tube with ferrite cores in multiple branches to enable control impedance on an incremental basis in multiple branches (column 16, line 40 to column 17, line 25).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use inductance adjuster comprising of hollow copper tube with ferrite cores whose number can be selected as taught by MacGaffign in the apparatus of Yamakoshi et al in view of Murata et al and Ito et al to enable obtain easy and incremental impedance adjustment with high frequency power sources in multiple branches (column 5, lines 14-45).

Claims 10, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakoshi et al (US 6,45,6010) in view of Murata et al (US 6,363,881) and Ito et al (US 5,935,374) as applied to claims 1-6, 9, 14-17, 28, 29 and further in view of Tomoyasu (US 7,153,387).

Regarding Claims 10, 30: Yamakoshi et al in view of Murata et al and Ito et al teach all limitations of the claim except the supply points comprise supply terminals which are disposed on a surface of the one of the electrodes in rotationally symmetrical positions with respect to the center of the surface.

Tomoyasu teaches a plasma apparatus comprising:

a reactor chamber 2;

a pair of parallel-plate electrodes 21, 5 disposed inside the chamber, between which a substrate W to be processed is disposed; and where the upper electrode 21 includes showerhead 23 with large number of gas discharge holes 24 (usually in thousands), and electrode 5 is a susceptor;

a radio-frequency power supply system (power supply 40 with matching unit 41 and switching elements 71 with a controller 72) used for transmitting radio-frequency power to the top electrode 21 via multiple supply points 60' provided on the top electrode 21,

said radio-frequency power supply system comprises:

a radio-frequency power source 40; and

a radio-frequency transmission unit for transmitting radio-frequency power from the radio-frequency power source to the multiple supply points 60' on the top electrode 21;

said radio-frequency transmission unit comprising:

a feeder rod 68 (inlet transmission path) and feeder members 69 (like multiple branches) branched off from the inlet transmission path. Tomoyasu teaches supply terminal points 60' are disposed in rotational symmetry about the center of surface of top electrode 21 (Figure 9 and column 12, lines 15-25).

Therefore it would have been obvious to provide supply points comprising supply terminals which are disposed in rotationally symmetrical positions with respect to the center of the upper electrode surface as taught by Tomoyasu in the apparatus of Yamakoshi et al in view of Murata et al and Ito et al to obtain improved uniformity of plasma processing.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakoshi et al (US 6,45,6010) in view of Murata et al (US 6,363,881), Ito et al (US 5,935,374) and Blonigan et al (US 2002/0046989) as applied to claim 7 and further in view of MacGaffigan (US 5,182,427).

Regarding Claim 11: Yamakoshi et al in view of Murata et al, Ito et al and Blonigan et al teach all limitations of the claim (as explained above under claim 1) including the transmission unit comprising a metal plate 126 and that impedance converters (inductors) 61a-h comprise ferrite core of circular ring shape (Murata et al, Figure **7**) that enable to achieve impedance matching between power distributor 60, coaxial cables 43a-h and electrode 32 (substantially equal impedance values in branches).

Yamakoshi et al in view of Murata et al, Ito et al and Blonigan et al do not teach each inductor comprising a hollow copper tube and the ferrite core can be inserted/attached into the hollow copper tube to adjust an impedance value of the transmission system by selecting the number of ferrite cores to be inserted/attached.

MacGaffigan teach an apparatus comprising a ferrite copper tube 22 in which ferrite beads 16 (ferrite cores) can be inserted and the number of beads16 (cores) can be controlled for the purpose of controlling the impedance of the apparatus (impedance adjuster). Further, it would

be obvious to use the arrangement of copper tube with ferrite cores could be used in multiple branches to enable control impedance on an incremental basis in multiple branches (e.g. Figs. 1-5 and col. 16, line 40 to col. 17, line 25).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use inductance adjuster comprising of hollow copper tube with ferrite cores whose number can be selected as taught by MacGaffign in the apparatus of Yamakoshi et al in view of Murata et al, Ito et al and Blonigan et al to enable obtain easy and incremental impedance adjustment with high frequency power sources in multiple branches (col. 5, lines 14-45).

Claims 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakoshi et al (US 6,45,6010) in view of Murata et al (US 6,363,881) and Ito et al (US 5,935,374) as applied to Claims 1-6, 9, 14-17, 28, 29 and further in view of DeOrnellas et al (US 6,190,496).

Regarding Claims 12, 13: Yamakoshi et al in view of Murata et al and Ito et al teach all limitations of the claim except second radio frequency power source.

DeOrnellas et al teach an apparatus (Fig. 1) that includes a reactor chamber 22, an upper electrode grounded electrode 24 and a bottom electrode 28 that is connected to a first high frequency power supply 30 and also a second power supply 32 which is operated at 450KHz and enables control the ion energy (col. 2, line 65 to col. 3, line 30).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use second power source connected to plasma electrode as taught by DeOrnellas et

al in the apparatus of Yamakoshi et al in view of Murata et al and Ito et al to enable control ion energy for the ions traveling towards the substrate (col. 3, lines 30-40).

Claims 31, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakoshi et al (US 6,45,6010) in view of Murata et al (US 6,363,881) and Ito et al (US 5,935,374) as applied to Claims 1-6, 9, 14-17, 28, 29 and further in view of Brunner (US 3,995,237).

Regarding Claim 31: Yamakoshi et al in view of Murata et al and Ito et al teach all limitations of the claim except that each of the branches connected to the multiple supply points is provided with multiple inductance adjusters as the at least one inductance adjuster, the number of the multiple inductance adjusters being different at least one branch relative to others of the branches to render substantially equal the characteristic impedance value of each branch connected to the multiple supply points.

Brunner teaches an impedance matching apparatus comprising a matching network 71 that includes variable inductances 72, 73 (multiple inductance adjusters). Brunner further teach that inductance 72 is removable by a short-circuiting switch (not shown in the Figures). It would be obvious to install multiple adjustable inductances in multiple branches, with the inductance being removable, as per teaching of Brunner in the apparatus of Yamakoshi et al in view of Murata et al and Ito et al to enable equalize characteristic impedance in each branch and obtain improved plasma uniformity (e.g. Figs. 2, 3 and col. 10, line 45 to col. 12, line 35).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a multiple inductance adjusters with multiple supply points as taught by

Brunner in the apparatus of Yamakoshi et al in view of Murata et al and Ito et al to enable equalize characteristic impedance in each branch and obtain improved plasma uniformity.

Regarding Claim 32: Claim limitation "wherein the substantially equal characteristic impedance value of each branch connected to the multiple supply points is such that film thickness non-uniformity of +3% or less is achieved in film deposition onto a large-area semiconductor substrate having a diameter of 300 mm using the plasma treatment apparatus" is a functional limitation and since the apparatus of prior art meets the structural limitations of the claim, the same is considered capable of meeting the functional limitations.

In this regard courts have ruled:

Claims directed to apparatus must be distinguished from the prior art in terms of structure rather than function. *In re Danly*, 263 F.2d 844, 847, 120 USPQ 528, 531 (CCPA 1959). Apparatus claims cover what a device is, not what a device does *Hewlett-Packard Co. V. Bausch & Lomb Inc.,* 15USPQ2d 1525, 1528 (Fed. Cir. 1990).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAKESH K. DHINGRA whose telephone number is (571)272-5959. The examiner can normally be reached on 8:30 -6:00 (Monday - Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on (571)-272-1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Rakesh K Dhingra/
Examiner, Art Unit 1792

/Karla Moore/
Primary Examiner, Art Unit 1792